

# Order

Michigan Supreme Court  
Lansing, Michigan

December 8, 2005

127607  
& (50)  
(55)

Clifford W. Taylor,  
Chief Justice

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee/  
Cross-Appellant,

v

SC: 127607  
COA: 247776  
Wayne CC: 02-011956-01

EDWARD OLSZEWSKI,  
Defendant-Appellant/  
Cross-Appellee.

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By order of June 24, 2005, the application for leave to appeal the November 30, 2004 judgment of the Court of Appeals and the application for leave to appeal as cross-appellant were held in abeyance pending the hearing ordered by the Court of Appeals. The Wayne County Circuit Court was directed to conclude the evidentiary hearing and to forward its opinion and order to this Court. The opinion and order having been received by this Court, the application for leave to appeal and the application for leave to appeal as cross-appellant are again considered and, pursuant to MCR 7.302(G)(1), in lieu of granting leave to appeal, we REVERSE the September 14, 2005 order of the Wayne Circuit Court and REMAND this case for entry of an order for new trial. The evidentiary hearing demonstrated that defendant was deprived of an impartial jury. *People v Hannum*, 362 Mich 660 (1961); *People v DeHaven*, 321 Mich 327 (1948).



11201

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 8, 2005

*Corbin R. Davis*

Clerk